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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

National Tobacco Company, LP

Plaintiff,

-against-

Timothy Parker and Xavier Mosley p.k.a.
Blackalicious, Raymond Riley p.k.a. Boots
Riley, Solomon David and Marlon Irving,
p.k.a., Lifesavas,

Defendants.

Case No. 08 CV 03383 (SAS)

**NOTICE OF MOTION TO AMEND
COMPLAINT AS OF RIGHT
PURSUANT TO FRCP 15(a)**

Plaintiff National Tobacco Company LP (NTC) by its attorneys Baker & McKenzie LLP hereby moves this court to amend its complaint, pursuant to Fed. R. Civ. P. 15(a) as no responsive pleading has yet been served. Plaintiff relies on the complaint, filed April 4, 2008, the accompanying memorandum of law, the Declaration of Marcella Ballard and Exhibits thereto and the proposed order GRANTING Plaintiff's Motion to Amend in support of this Motion.

Dated: April 9, 2008

By: /s/ Marcella Ballard
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